

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.W.P. NO. 15761 OF 2005 (O&M)

Date of Decision: May 21, 2007

Didar Singh

...Petitioner

Versus

Punjab School Education Board and others

...Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Kapil Kakkar, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, Advocate, for
Mr. R.N. Raina, Advocate,
for respondent Nos. 1 and 2.

ORDER

M. M. KUMAR, J.

This order shall dispose of C.W.P. Nos. 15761, 15767 and 15769 of 2005 as common question of law and facts have been raised in these petitions.

The petitioners in the instant petitions are seeking directions for commanding the respondents to regularise their services, who claims to have rendered more than 8 years of service in the respondent Board. It has also been claimed that services of some of the junior persons of the petitioners have been regularised vide orders dated 2.8.2004 and 17.8.2004 (P-8 and P-10 in each case).

Having heard the learned counsel for the parties and perusing the record, we do not feel the necessity of referring to detailed facts of the cases, inasmuch as, the controversy involved in these cases is not *res integra*. It is apposite to mention here that during the course of arguments learned counsel for the petitioners made strenuous efforts to persuade us that the services of the petitioners are liable to be regularised because services of the persons who have joined the respondent Board after them, have been regularised. However, despite our repeated queries learned counsel has not been able to show that the petitioners had joined the respondent Board in accordance with the provisions enshrined under Articles 14 and 16 of the Constitution. Therefore, we are of the considered view that no directions could be issued for regularization of the services of the petitioners in view of the Constitution Bench judgment of Hon'ble the Supreme Court in the case of **Secretary, State of Karnataka & others v. Umadevi & others**, (2006) 4 SCC 1 as well as a detailed judgment of this Court in the case of **Rajinder Kumar v. State of Haryana**, 2006 (2) PLR 474.

Therefore, instant petitions fails and the same are dismissed.

(M.M. KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

May 21, 2007
Pk Kapoor